

July, 2022

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Amrit Mahotsav

# TAX Bulletin

★ ★ VOLUME - 116 ★ ★



**THE INSTITUTE OF COST ACCOUNTANTS OF INDIA**

Statutory Body under an Act of Parliament

[www.icmai.in](http://www.icmai.in)

**Headquarters:** CMA Bhawan, 12 Sudder Street, Kolkata - 700016

Ph: 091-33-2252 1031/34/35/1602/1492

**Delhi Office:** CMA Bhawan, 3 Institutional Area, Lodhi Road, New Delhi - 110003

Ph: 091-11-24666100

## MISSION STATEMENT

“The CMA Professionals would ethically drive enterprises globally by creating value to stakeholders in the socio-economic context through competencies drawn from the integration of strategy, management and accounting.”

## VISION STATEMENT

“The Institute of Cost Accountants of India would be the preferred source of resources and professionals for the financial leadership of enterprises globally.”

## Objectives of Taxation Committees:

1. Preparation of Suggestions and Analysis of various Tax matters for best Management Practices and for the professional development of the members of the Institute in the field of Taxation.
2. Conducting webinars, seminars and conferences etc. on various taxation related matters as per relevance to the profession and use by various stakeholders.
3. Submit representations to the Ministry from time to time for the betterment and financial inclusion of the Economy.
4. Evaluating opportunities for CMAs to make way for further development and sustenance of the opportunities.
5. Conducting and monitoring of Certificate Courses on Direct and Indirect Tax for members, practitioners and stake holders and also Crash Courses on GST for Colleges and Universities.

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# The Institute of Cost Accountants of India

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## Certificate Courses Offered by the Tax Research Department

1. Certificate Course on GST (CCGST)
2. Advanced Certificate Course on GST (ACCGST)
3. Advanced Certificate Course on GST Audit and Assessment Procedure (ACGAA)
4. Certificate Course on TDS (CCTDS)
5. Certificate Course on Filing of Returns (CCFOF)
6. Advanced Course on Income Tax Assessment and Appeals (ACIAA)
7. Certificate Course on International Trade (CCIT)

Admission Link - <https://eicmai.in/advsc/DelegatesApplicationForm-new.aspx>

### Modalities

Description	Course Name						
	CCGST	ACCGST	ACGAA	CCTDS	CCFOF	ACIAA	CCIT
Hours	72	40	30	30	30	30	50
Mode of Class	Offline/ Online	Online					
Course Fee* (₹)	10,000	14,000	12,000	10,000	10,000	12,000	10,000
Exam Fee* (₹)	1,000 per attempt						
Discounts	20% Discount for CMA Members, CMA Qualified and CMA Final Pursuing Students						

\*18% GST is applicable on both Course fee and Exam fee

### Eligibility Criteria for Admission

- ▲ Members of the Institute of Cost Accountants of India
- ▲ Other Professionals (CA, CS, MBA, M.Com, Lawyers)
- ▲ Executives from Industries and Tax Practitioners
- ▲ Students including CMA Qualified and CMA Pursuing

*On passing the examination with 50% marks a Certificate would be awarded to the participant with the signature of the President of the Institute*

### Course Details

<https://icmai.in/TaxationPortal/OnlineCourses/index.php>

## Courses for Colleges & Universities by the Tax Research Department

### Modalities

### Eligibility

- ▲ B.Com/ BBA pursuing or completed
- ▲ M.Com/ MBA pursuing or completed

Description	Courses for Colleges and Universities	
	GST Course	Income Tax
Batch Size	Minimum 50 Students per Batch per course	
Course Fee* (₹)	1,000	1,500
Exam Fee* (₹)	200	500
Duration (Hrs)	32	32

For enquiry about courses, mail at: [trd@icmai.in](mailto:trd@icmai.in)

\*18% GST is applicable on both Course fee and Exam fee

Behind every successful business decision, there is always a **CMA**





**CMA Rakesh Bhalla**  
Chairman, Direct Taxation Committee



**CMA Chittaranjan Chattopadhyay**  
Chairman, Indirect Taxation Committee

## FROM THE DESK OF CHAIRMAN

Dear Friends and Professional Colleagues,

We hope you and your family are staying safe and healthy...!!

**A**gain COVID is spreading its wings for causing damage to the health of the people of the country. Please attach top priority for remaining safe by following COVID protocols. The safety and wellbeing of our stakeholders is top priority

The Tax Research Department is celebrating GST Month throughout July in Chapters and Regions to celebrate auspicious moment of 5th year of GST. On 1st July 2022 virtually GST day was celebrated and the program was graced by Mr. Pradeep Gooptu- Writer and Resident Editor of Business Standard as Chief Guest, CMA M.S Mani as eminent moderator and CMA Amit Sarker, CMA Rahul Renavirkar and CMA M Acharjee as Speakers. The theme was GST in India – Poised to deliver Sustainable Growth. Again on 6th July 2022, a seminar was organized at scope complex Delhi which was graced by Shri Sushil Kumar Modi, Hon'ble Member of Parliament, Rajya Sabha as the Chief Guest. CMA Chandra Wadhwa as Special Guest, CMA B.M Gupta, CMA Navneet Kumar Jain, and CMA Sanjali Dias, as the speakers, and CMA B.B Goyal as the moderator. The seminar has been highly appreciated by members and stakeholders. Our Hyderabad chapter also conducted a program to celebrate GST Day with a Theme - "Recent Changes in GST and Cost Accountants Role in GST" on 1st July 2022 at Surana Auditorium, FTCCI, Federation House, Red Hills, Hyderabad and this program was graced by Smt. Neetu Kumari Prasad, IAS, Commissioner of Commercial Taxes, Government of Telangana as Chief Guest and Smt. K. Haritha, Additional Commissioner, Commercial Taxes, Government of Telangana, CMA Nookala Jagannath, State - Head Indirect Taxes, Reliance Group as speakers and CMA Dr. K.Ch.A.V.S.N. Murthy as Special Invitee. Pune Chapter also organized Two Days Fifth GST Day Celebration Conference on 2nd & 3rd July 2022 at MTDC Resort, Panshet, Pune with theme "Understanding the litigations in GST". Sambalpur Chapter also organized 2 days Seminar on 8th and 9th of July 2022 at MCL Auditorium, Jagruti Vihar, Burla, Sambalpur - 768020 on topic "Transformed Energy Scenario, Role of Finance Professionals." CMA Mallikarjun Gupta and Mr. Manoj Kumar Agarwal were the speakers on Session dedicated to GST.

Apart from above routine activities of Tax Research department is going on. 114th and 115th Tax Bulletin publication, Online QUIZ Contest on every Friday, online taxation courses, GST Courses in colleges were amongst such activities. You will be happy to learn that Government Ramnarayan Chellaram College of Commerce & Management, Racecourse Road-Bengaluru has

completed the course and exam also conducted. All students have been declared successful after having examination. In another college, ASC Degree College, GST Course has started with 112 students on 8th July 2022.

Several amendments have come up in Direct Tax and Indirect Tax. First we are highlighting about Indirect Tax. **(i)** Due to the reversal of amount in the cash ledger of some composition taxpayers, the balance in the cash ledgers had become negative. The government has now decided that the negative balance in the cash ledgers of such taxpayers should be nullified. Accordingly, the negative balance has been nullified. All such taxpayers have been informed through email also. **(ii)** CBIC has issued Important FAQs on GST applicability on 'pre-packaged and labelled' goods- [https://www.cbic.gov.in/resources/htdocs-cbec/gst/FAQs\\_GST\\_prepackaged.pdf](https://www.cbic.gov.in/resources/htdocs-cbec/gst/FAQs_GST_prepackaged.pdf); [jsessionid=D2B8B68698FE78B334F3B5A59088AD6B](https://www.cbic.gov.in/resources/htdocs-cbec/gst/FAQs_GST_prepackaged.pdf). **(iii)** India's overall exports (Merchandise and Services) grow by 23% in June; Exports growth in 1st quarter over 25%; Petroleum products, Electronic Goods, Textiles, Cereals, Leather products, Rice, Minerals, oil seeds, coffee and Gems & Jewellery record high exports growth during June- <https://www.pib.gov.in/PressReleasePage.aspx?PRID=1841477> **(iv)** CBIC has simplified regulatory framework for e-commerce exports of jewellery through courier mode- <https://static.pib.gov.in/WriteReadData/specificdocs/documents/2022/jul/doc202271470801.pdf>

**(v)** IGST exemption withdrawn on research equipment's imported by institutions or universities- <https://taxinformation.cbic.gov.in/view-pdf/1009430/ENG/Notifications>.

Now we are discussing about Direct Tax. **(i)** One of the important deadline is 31st July -the due date for filling Income Tax Return for non-audited assesseees. **(ii)** CBDT has enabled various e-filing statutory forms on the Income Tax e-filing portal- [https://www.incometax.gov.in/iec/foportal/sites/default/files/2022-07/Click%20Here\\_0.pdf](https://www.incometax.gov.in/iec/foportal/sites/default/files/2022-07/Click%20Here_0.pdf) **(iii)** CBDT has enabled ITR-6 for e-filing using third party utility. **(iv)** CBDT has issued FAQs on AIS (Annual Information Statement)- [https://www.incometax.gov.in/iec/foportal/sites/default/files/2022-07/Click%20Here\\_1.pdf](https://www.incometax.gov.in/iec/foportal/sites/default/files/2022-07/Click%20Here_1.pdf)

All other activities of the department are being carried on seamlessly. We seek any further suggestions/observations from the esteemed readers and urge one and all to stay safe.

Jai Hind.

Warm Regards



(Rakesh Bhalla)

**CMA Rakesh Bhalla**  
22<sup>nd</sup> July 2022



**CMA Chittaranjan Chattopadhyay**  
22<sup>nd</sup> July 2022



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# CONTENTS

ARTICLES	
<b>INDIRECT TAX</b>	
01	<b>APPLICABILITY OF GST ON REIMBURSEMENT OF EXPENSES TO A SUPPLIER</b>
	CMA Dipankar Biswas Page - 1
<b>DIRECT TAX</b>	
02	<b>AN ANALYSIS ABOUT AMENDMENTS FOR CHARITABLE TRUSTS AND INSTITUTIONS</b>
	CMA Ajith Sivadas Page - 4
<b>TAX UPDATES, NOTIFICATIONS AND CIRCULARS</b>	
Indirect Tax	Page - 7
Direct Tax	Page - 16
<b>PRESS RELEASE</b>	
	Page - 18
<b>JUDGEMENTS</b>	
Indirect Tax	Page - 21
Direct Tax	Page - 24
<b>REPORT OF 1ST JULY 2022-WEBINT GST IN INDIA - POISED TO DELIVER SUSTAINABLE GROWTH</b>	
	Page - 28
<b>REPORT OF 6TH JULY 2022- SEMINAR _ GST IN INDIA - POISED TO DELIVER SUSTAINABLE GROWTH</b>	
	Page - 30
<b>TAX COMPLIANCE CALENDAR AT A GLANCE</b>	
Direct Tax	Page - 33
Indirect Tax	Page - 34
<b>E-Publications of Tax Research Department</b>	
	Page - 35

Articles on the Topics of Direct and Indirect Taxation are invited from readers and authors. Along with the article please share a recent passport-sized photograph, a brief profile and the contact details. The articles should be the author's own original.

Please send the articles to

***trd@icmai.in /trd.ad1@icmai.in***

# APPLICABILITY OF GST ON REIMBURSEMENT OF EXPENSES TO A SUPPLIER

## **Brief of Reimbursement of Expenses:**

As per the Contract or instruction of the Recipient, the Supplier has to incur some expenditures for supply of goods and services on behalf of the Recipient. Some times, it is noticed that the Recipient has imposed GST on the Reimbursement of Expenses and for some times, it is noticed that the Recipient has not charged any GST on such expenses. On the other hand, often it is found that the amount spent against Reimbursement of Expenses is shown in a separate invoice and often, it is noticed that the amount spent against Reimbursement of Expenses is indicated separately with the main invoice against supply of goods and services to the Recipient.

## **Type of Reimbursement of Expenses:**

The Expenses are incurred by the Supplier on behalf of the Recipient and the same are reimbursed by the Recipient. Such kind of Expenses can be classified into 2 parts and such parts are a (Reimbursement of Expenses in form of Incidental Expenses) such kind of expenses are incurred by the Supplier in the course of supply of goods and services and these are the part of the supply value and hence, GST is applicable. Examples: travelling expenses, transportation charges where the supplier has rendered such service by their own vehicle (and) b (Reimbursement of Expenses in form of expenses paid by Supplier as a Pure Agent) such kind of expenses are incurred by the Supplier as a Pure Agent in the course of supply of goods and services and these are not the part of the supply value and hence, GST is not applicable. Example: transportation charges paid to a third-party transporter by the Supplier as a Pure Agent, Registration fees paid by the Supplier that is the consultant as a Pure Agent for supply of services etc.



**CMA Dipankar Biswas**  
**Cost Accountant**



### Meaning of Pure Agent:

In a layman's term, Pure Agent means a Supplier who makes a supply of goods and services to the Recipient and incurs some certain expenses as an ancillary support for supply of such goods or services the Supplier will claim the amount of such expenses as the Reimbursement. Hence here two kinds of relationship are executed by the Supplier and the Recipient against supply of goods and services and these are) a(Supply made as Principal-to-Principal Basis for main supply and) b(Supply made as Pure Agent for ancillary service.

The Concept of Pure Agent is borrowed from the Service Tax) Determination of Value (Rules 2006, and such term of Pure Agent is used in Rule 33 of the CGST Rules, 2017, As per the Explanation of Rule 33 of the CGST Rules, 2017, "Pure Agent "means a person who-

- (a) enters into a contractual agreement with the recipient of supply to act as his pure agent to incur expenditure or costs in the course of supply of goods or services or both.
- (b) neither intends to hold nor holds any title to the goods or services or both so procured or supplied as pure agent of the recipient of supply.
- (c) does not use for his own interest such goods or services so procured and
- (d) receives only the actual amount incurred to procure such goods or services in addition to the amount received for supply he provides on his own account.

Example: Roy and Associates, a CS Firm has collected Rs 55,000. from its client ABC & Z Co .Ltd as professional fees for the Financial Year 2020-2021 and such CS Firm has paid of Rs10,000/-as the Registration Fees of the Company on behalf of the company and here, Roy and Associates will claim of Rs -/10,000.as the Reimbursement of Expenses. Hence 1<sup>st</sup> service rendered by Roy and Associates is based on Principal-to-Principal basis and the 2<sup>nd</sup> service rendered by Roy and Associates is based on Pure Agent Basis.

Hence, GST will be applicable on 1<sup>st</sup> Service but GST will not be applicable on 2<sup>nd</sup> service.

### Applicability of GST on the Reimbursement of Expenses:

As per Section (1)15 of the CGST Act" 2017, The value of a supply of goods or services or both shall be the transaction value, which is the price actually paid or payable for the

said supply of goods or services or both where the supplier and the recipient of the supply are not related and the price is the sole consideration for the supply ".and

as per Clause c (of the Section (2)15 of the CGST Act, " -2017 incidental expenses, including commission and packing, charged by the supplier to the recipient of a supply and any amount charged for anything done by the supplier in respect of the supply of goods or services or both at the time of, or before delivery of goods or supply of services shall be included in the value of supply of goods and services".

However, Rule 33 of the CGST Rules 2017, explains that the Reimbursement of Expenses incurred by the Supplier on behalf of the Recipient shall not be included in the value of supply of goods and services subject to satisfy the following conditions:

- (1) the supplier acts as a pure agent of the recipient of the supply, when he makes the payment to the third party on authorization by such recipient;

**Note -If the payment is made first and authorization is received after such payment, the aforesaid condition i.e(1) of Rule 33 of the CGST Rules 2017, will not be satisfied.**

- (2) the payment made by the pure agent on behalf of the recipient of supply has been separately indicated in the invoice issued by the pure agent to the recipient of service;

**Note -Amount incurred by the Supplier as Pure Agent on behalf of the Recipient shall be separately indicated in the regular invoice raised by the Pure Agent.**

and

- (3) the supplies procured by the pure agent from the third party as a pure agent of the recipient of supply are in addition to the services he supplies on his own account.

**Note- The supplier is supplying the goods and services to the Recipient as a main supply and in addition, the Supplier can act as Pure Agent on behalf of the Recipient of the goods and services.**

**Note :If the aforesaid conditions mentioned in Rule 33 of the CGST Rules 2017, are not satisfied, the amount spent by the Supplier on behalf of the Recipient against Reimbursement of Expenses will be included in the value**



*of supply under GST and GST will be applicable on such Reimbursement of Expenses.*

### **One Landmark Case Study on Applicability of GST on the Reimbursement of Expenses:**

**Appellate Authority for Advance Ruling for Goods and Service Tax, UP Vs .M/s Ion Trading India Private Limited:** Here ,M/s Ion Trading India Private Limited ,the Appellant had received a request from its employees for parking facility and the employer was assured by the employees to recover the rental charges from its employees .The employer had made an agreement with Shantiniketan Properties Private Limited) Building Authority (for providing Parking Space through Lease Agreement.

The Appellant filed an Advance Ruling as per Section (1)97and (2)97 of the CGST Act 2017,regarding

- (1) whether the amount recovered from the employees towards the car parking charges payable to Shantiniketan Properties Private Limited) Building Authority (would be deemed as supply of service
- (2) if the aforesaid mentioned in (1) would be deemed as supply of service ,the value of such supply would be

NIL under the concept of Pure Agent mentioned in Rule 33 of the CGST Rule.2017,

The Authority of Advance Ruling dismissed the application stating that the supporting documents are not relevant. Then ,being aggrieved with the Order of The Authority of Advance Ruling ,the Appellant filed an Appeal to the Appellate Authority for Advance Ruling as per Section (1)100of the CGST Act .2017,The Appellate Authority for Advance Ruling ordered that the said service would be deemed as supply of service and the value of such service would be NIL as the Appellant satisfied all the conditions of Rule 33 of the CGST Act .2017,Hence ,no GST will be imposed against the said service provided by the employer to its employees.

### **Conclusion:**

*From the above discussion ,it is to be noted that the amount spent against Reimbursement of Expenses can be classified into two parts such as Reimbursement of Expenses in form of Incidental Expenses and Reimbursement of Expenses in form of expenses paid by Supplier as a Pure Agent .Hence, GST will be applicable on Reimbursement of Expenses in form of Incidental Expenses and no GST will be applicable on Reimbursement of Expenses in form of expenses paid by Supplier as a Pure Agent.*

116

# AN ANALYSIS ABOUT AMENDMENTS FOR CHARITABLE TRUSTS AND INSTITUTIONS



**CMA Ajith Sivadas**  
**Cost Accountant**

**B**y tradition, private philanthropy in our country has been playing a very special and prominent role in enriching our cultural heritage and in catering to the education, medical, socio-economic, and religious needs of our people. In so doing, it has supplemented the work of a Welfare State, and the State, in turn, has recognized its contribution by giving generous tax exemptions to the donations given to philanthropic institutions and also to the income thereof applied for public, religious or charitable purposes. Due to their distinct organisation and objective entire income of such charitable or religious trusts are taxed as per the provisions of section 11-13 of the Income Tax Act, 1961, which provides for various tax benefits. In the name of charity, there has been misuse of tax concessions by some of the Charitable Organizations which go undetected. To curb these practices, significant amendments were proposed in the previous budgets and now the Finance Act, 2022 has made further proposals to rationalize the provisions related to the Charitable Organizations to bring uniformity, clarity on taxation in the specified circumstances, and ensure their effective monitoring and implementation.

There are a plethora of amendments regarding the provisions for charitable trusts in recent budgets and this year's is also not an exemption to this. The cardinal error of our times is to mistake amendment for improvement and change for progress.

## **1. Rationalisation in provisions relating to entities registered under 12 AB and Specified Institutions under 10(23)C.**

- a. To bring consistency in both regimes, the conditions



subject to fulfillment of which accumulation shall be allowed and the specific previous years of taxability of accumulated income in case of the different violations are now aligned.

- b. Erstwhile trusts registered under 12AB are required not to pass on any unreasonable benefit to the trustee or any other specified person. Similar restrictions are now being provided to specified institutions also to bring in parity.
- c. In order to ensure that the intended purpose of exemption availed by trust or institution is achieved, specific provisions in the Act, *vide* Section Chapter XII-EB, were brought about for imposing a levy in the nature of an exit tax when the trusts or institutions cease to be charitable. The provisions are now equally applicable for both regimes.
- d. Exemption is not available if the organization does not furnish its return of income within the prescribed time is been made applicable to specified institutions also.

## 2. Application of Income.

Any sum payable by any trust or specified institutions as application of income shall be considered as an application of income in the year in which such sum is actually paid by it irrespective of the method of accounting regularly employed by it. Thereby incomes may be recognized on an accrual basis whereas the application shall be on a cash basis. And in short, the trusts/institutions may ensure that expenses pertaining to/accrued in the current year be paid latest by 31 March of the relevant year for such expense to be treated as application of income in the current year.

## 3. Admissibility of certain expenditure in case of specified violations.

In case of such specified violations due to which exemption becomes unavailable, income chargeable to tax will be computed after allowing the deduction for expenditure incurred by the trust/institution for its objects, subject to certain conditions. Further, the restrictive conditions applicable while computing business income as regards disallowance of expenses on account of non-deduction of taxes and payment of expenditure in cash have also been made applicable in the above scenario. It is also clarified that for the purposes of computing income chargeable to tax no deduction in respect of any expenditure or allowance or set-off of any loss shall be allowed to the assessee under any other provision.

## 4. Renovation and repair of notified places of worship

In order to provide clarity on the treatment of donations for the renovation and repair of notified places of worship (viz Temples, Mosques, Gurudwaras, Churches, etc.), an option has been provided to a trust or institution wherein the property held by them includes any notified place of worship, to treat any sum received as a voluntary contribution for the purpose of renovation or repair of such place, as a part of the corpus, subject to the fulfillment of the specified conditions. Provisions for taxability of such sum in case of violation of the conditions are also specified.

## 5. Mandate for books of account to be maintained by the trusts or institutions

If the income of the trust or institution without giving effect to provisions of section 11 and 12 exceeds the maximum amount which is not chargeable to tax in any previous year, it is required to get its books of accounts audited. However, there was no specific reference for the maintenance of books of accounts by such a trust or institution. The provisions of section 12A(1)(b), tenth proviso to section 13(1)(c) and 10(23)C provides for w. e. f. A.Y. 2023-24 for maintenance of books of accounts and other documents in the prescribed form and prescribed manner.

## 6. Penalty for passing on unreasonable benefits to trustee or specified persons

Any unreasonable benefit passed to any trustee or any other specified person, a penalty on trusts or institution under both the regimes which is equal to the amount of income applied by such trust or institution for the benefit of specified person where the violation is noticed for the first time during any previous year and twice the amount of such income where the violation is notice again in any subsequent year has been introduced under section 271 AAE. In addition to the proposed penalty, other penal provisions of the act shall also be applicable.

## 7. Cancellation of Registration / Approval.

The Principal Commissioner or the Commissioner has noticed the occurrence of one or more specified violations during any previous year or by reference from the Assessing Officer or case been selected in accordance with the risk management strategy formulated by the board from time to time for any previous year, call for such documents or information from the trust or institution or make such inquiry as he thinks necessary in order to satisfy



himself about the occurrence or otherwise of any specified violation may :

- pass an order in writing canceling the registration of such trust or institution, after affording a reasonable opportunity of being heard, for such previous year and all subsequent previous years, if he is satisfied that one or more specified violations have taken place;
- pass an order in writing refusing to cancel the registration of such trust or institution, if he is not satisfied with the occurrence of one or more specified violations;

And forward a copy of the order to the Assessing Officer and such trust or institution.

Specified violations in this regard are :

- a. The income is applied towards objects other than for which it is established;
- b. It has earned profits from a business that is not

incidental to the attainment of its objects;

- c. It has not maintained separate books of account for a business activity that is incidental to the attainment of its objects;
- d. It has applied any part of its income for the benefit of any particular religious community or caste;
- e. It has undertaken any activity that is not genuine or has not adhered to the conditions subject to which it was registered.

## Conclusion

The proposed amendment may check the evasion of taxes and malpractices by mis utilizing the provisions. Since the tax concessions afforded to these institutions involve a sacrifice of public revenues, it became imperative to ensure that tax privileges are not abused and they are enjoyed only by those charitable and religious institutions, which deserve them.

TB



# TAX UPDATES NOTIFICATIONS AND CIRCULARS

## Goods and Services Tax Notifications & Circulars

### CENTRAL TAX NOTIFICATIONS

#### NOTIFICATION No.09/2022–Central Tax

Date – 5th July 2022

Seeks to notify the provisions of clause (c) of section 110 and section 111 of the Finance Act, 2022

In exercise of the powers conferred by clause(b)of sub-section (2) of section 1 of the Finance Act, 2022 (6 of 2022), the Central Government hereby appoints the 5th day of July,2022, as the date on which the provisions of clause (c) of section 110 and section 111of the said Act shall come into force

#### NOTIFICATION No. 10/2022 –Central Tax

Date – 5th July 2022

Seeks to exempt taxpayers having AATO upto Rs. 2 crores from the requirement of furnishing annual return for FY 2021-22

In exercise of the powers conferred by the first proviso to section 44 of the Central Goods and Services Tax Act, 2017 (12 of 2017), the Commissioner, on the recommendations of the Council, hereby exempts the registered person whose aggregate turnover in the financial year 2021-22 is up to two crore rupees, from filing annual return for the said financial year

#### NOTIFICATION No. 11/2022–Central Tax

Date – 5th July 2022

Seeks to extend due date of furnishing FORM GST CMP-08 for the quarter ending June, 2022 till 31.07.2022

A registered person under composite scheme shall furnish a statement, containing the details of payment of self-assessed tax in FORM GST CMP-08 of the Central Goods and Services Tax Rules, 2017 for the quarter ending 30th June, 2022 till the 31st day of July, 2022.

#### NOTIFICATION No. 12/2022 –Central Tax

Date – 5th July 2022

Seeks to extend the waiver of late fee for delay in filing FORM GSTR-4 for FY 2021-22

Extension of waiver of late fees till 28.07.2022 for delay in furnishing of form GSTR-4 for FY 2021-22[Annual return for composition scheme]

#### NOTIFICATION No. 13/2022-Central Tax

Date – 5th July 2022

Seeks to extend dates of specified compliances in exercise of powers under section 168A of CGST Act

#### **Section 73 – Demands and recoveries**

Extends the time limit for issuance of order under section 73(10) for short payment of tax non-payment of tax or erroneous refund till 30.09.2023. The government vide these notifications have provided the time for the tax officers for issuance of notice to the RPs for the FY 2017-18 till 30.06.2023

#### **Section 54 – Refunds**

Excludes the time period from 1st March 2020 to 28th Feb 2022 for computation of period of limitation for filing refund application under Section 54 of the CGST Act 2017. This is the best opportunity for those RPs who have missed filing their refund application the due dates for filing refund application for easy reference is provided in Annexure – 1

#### NOTIFICATION No. 14/2022-Central Tax

Date – 5th July 2022

Seeks to make amendments (First Amendment, 2022) to the CGST Rules, 2017

This notification has amended various rules and inserted new rules. The detailed discussion is enclosed as Annexure – II

**For more details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009417/ENG/Notifications>



## Notification No. 15/2022-Central Tax

Date – 13th July 2022

### Seeks to amend notification No. 10/2019- Central Tax

In the said notification, in the Table, against serial number 4, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted.2. This notification shall come into force on the 18thJuly, 2022.

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009442/ENG/Notifications>

## Notification No. 16/2022-Central Tax

Date – 13th July 2022

### Seeks to amend notification No. 14/2019- Central Tax

In the said notification, in the TABLE, against serial number 4, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted.2. This notification shall come into force on the 18thJuly, 2022

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009443/ENG/Notifications>

## **CENTRAL TAX RATE NOTIFICATIONS**

### Notification No. 03/2022-Central Tax (Rate)

Date – 13th July 2022

#### Seeks to amend Notification No 11/2017- Central Tax (Rate) dated 28.06.2017

The Central Government, on the recommendations of the Council, has made further amendments in the notification no. 11/2017-Central Tax (Rate), dated the 28th June, 2017.

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009433/ENG/Notifications>

### Notification No. 04/2022 -Central Tax (Rate)

Date – 13th July 2022

#### Seeks to amend Notification No 12/2017- Central Tax (Rate) dated 28.06.2017

The Central Government, has made further amendments in the notification no.12/2017-Central Tax (Rate), dated the 28th June, 2017.

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009434/ENG/Notifications>

### Notification No.05/2022-Central Tax (Rate)

Date – 13th July 2022

#### Seeks to amend Notification No 13/2017- Central Tax (Rate) dated 28.06.2017

The Central Government, has made further amendments in the notification no.13/2017-Central Tax (Rate), dated the 28th June, 2017.

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009435/ENG/Notifications>

### Notification No. 6/2022-Central Tax (Rate)

Date – 13th July 2022

#### Seeks to amend notification No. 1/2017- Central Tax (Rate)

The Central Government, has made further amendments in the notification no.1/2017-Central Tax (Rate), dated the 28thJune, 2017.

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009436/ENG/Notifications>

### Notification No. 7/2022-Central Tax (Rate)

Date – 13th July 2022

#### Seeks to amend notification No. 2/2017- Central Tax (Rate)

The Central Government, has made further amendments in the notification no.2/2017-Central Tax (Rate), dated the 28th June, 2017.

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009437/ENG/Notifications>

### Notification No. 8/2022-Central Tax (Rate)

Date – 13th July 2022

#### Seeks to amend notification No. 3/2017- Central Tax (Rate)

The Central Government, has made further amendments in the notification no. 3/2017-Central Tax (Rate), dated the 28th June, 2017. This notification shall come into force on the 18thday of July, 2022

***For more details, please follow -***

<https://taxinformation.cbic.gov.in/view-pdf/1009438/ENG/Notifications>

Notification No. 9/2022-Central Tax (Rate)Date – 13th July 2022Seeks to amend notification No. 5/2017- Central Tax (Rate)

The Central Government has made further amendments in the notification no. 5/2017-Central Tax (Rate), dated the 28th June, 2017

In the said notification,

- (i) in the opening paragraph, in the proviso, in clause (i), for the words and figure “serial numbers 1”, the words, figure and letters “serial numbers 1AA” shall be substituted;
- (ii) in the TABLE, S. No. 1 shall be re-numbered as S. No. 1AA, and before S. No. 1AA as so re-numbered, the following serial numbers and entries shall be inserted.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009439/ENG/Notifications>

Notification No. 10/2022-Central Tax (Rate)Date – 13th July 2022Seeks to amend notification No. 2/2022- Central Tax (Rate)

The Central Government, has made amendments in the notification no. 02/2022-Central Tax (Rate), dated the 31st March, 2022,

In the said notification, in Table, against Sl. No. 1, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted

This notification shall come into force on the 18th July, 2022.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009440/ENG/Notifications>

Notification No. 11/2022-Central Tax (Rate)Date – 13th July 2022Rescinds notification No. 45/2017- Central Tax (Rate)

The Central Government, has rescinded the notification no. 45/2017-Central Tax (Rate), dated the 14th November, 2017, except as respects things done or omitted to be done before such rescission.

This notification shall come into force on the 18th day of July, 2022

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009441/ENG/Notifications>

**INTEGRATED TAX RATE NOTIFICATIONS**Notification No. 03/2022-Integrated Tax (Rate)Date – 13th July 2022Seeks to amend Notification No 8/2017- Integrated Tax (Rate) dated 28.06.2017

The Central Government, has made further amendments in the notification no. 8/2017-Integrated Tax (Rate), dated the 28th June, 2017

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009453/ENG/Notifications>

Notification No. 04/2022-Integrated Tax (Rate)Date – 13th July 2022Seeks to amend Notification No 9/2017- Integrated Tax (Rate) dated 28.06.2017

The Central Government, has made further amendments in the notification no.9/2017-Integrated Tax (Rate),dated the 28th June, 2017.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009454/ENG/Notifications>

Notification No. 05/2022-Integrated Tax (Rate)Date – 13th July 2022Seeks to amend Notification No 10/2017- Integrated Tax (Rate) dated 28.06.2017

The Central Government, has made further amendments in the notification no.10/2017-Integrated Tax (Rate), dated the 28th June, 2017.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009455/ENG/Notifications>

Notification No. 06/2022-Integrated Tax (Rate)Date – 13th July 2022Seeks to amend notification No. 1/2017- Integrated Tax (Rate)

The Central Government, has made further amendments

in the no. 1/2017-Integrated Tax (Rate), dated the 28th June, 2017.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009456/ENG/Notifications>

[Notification No. 07/2022-Integrated Tax \(Rate\)](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 2/2017- Integrated Tax \(Rate\)](#)

The Central Government, has made further amendments in the notification no. 2/2017-Integrated Tax (Rate), dated the 28th June, 2017.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009457/ENG/Notifications>

[Notification No. 08/2022-Integrated Tax \(Rate\)](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 3/2017- Integrated Tax \(Rate\)](#)

The Central Government, has made further amendments in the notification no. 3/2017-Integrated Tax (Rate), dated the 28th June, 2017

This notification shall come into force on the 18th day of July, 2022

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009458/ENG/Notifications>

[Notification No. 09/2022-Integrated Tax \(Rate\)](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 5/2017- Integrated Tax \(Rate\)](#)

The Central Government, has made further amendments in the notification no. 5/2017-Integrated Tax (Rate), dated the 28th June, 2017.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009459/ENG/Notifications>

[Notification No. 10/2022-Integrated Tax \(Rate\)](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 2/2022- Integrated Tax \(Rate\)](#)

The Central Government has made amendments in the notification no.02/2022-IntergatedTax (Rate), dated the 31st March, 2022

In the said notification, in Table, against Sl. No. 1, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted.

This notification shall come into force on the 18th day of July, 2022.

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009460/ENG/Notifications>

[Notification No. 11/2022-Integrated Tax \(Rate\)](#)

[Date – 13th July 2022](#)

[Rescinds notification No. 47/2017- Integrated Tax \(Rate\)](#)

The Central Government has rescinded the notification no. 47/2017-Integrated Tax (Rate), dated the 14th November, 2017,

This notification shall come into force on the 18th day of July, 2022

**For more details, please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009461/ENG/Notifications>

## UNION TERRITORY TAX NOTIFICATIONS

[Notification No. 03/2022-Union Territory Tax](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 10/2019- Union Territory Tax](#)

The Central Government, has made further amendments in the notification no.02/2019-Union Territory Tax, dated the 7th March, 2019.

In the said notification, in the Table, against serial number 4, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted;

This notification shall come into force on the 18th day of July, 2022.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009431/ENG/Notifications>

Notification No. 04/2022-Union Territory TaxDate – 13th July 2022Seeks to amend notification No. 14/2019- Union Territory Tax

The Central Government, on the recommendations of the Council, has made further amendments in the notification no.02/2017-Union Territory Tax, dated the 27th June, 2017

In the said notification, in the Table, against serial number 4, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted

This notification shall come into force on the 18th July, 2022

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009432/ENG/Notifications>

UNION TERRITORY TAX RATE NOTIFICATIONSNotification No. 03/2022-Union Territory Tax (Rate)Date – 13th July 2022Seeks to amend Notification No 11/2017- Union territory Tax (Rate) dated 28.06.2017

The Central Government has made further amendments in the notification no.11/2017-Union Territory Tax (Rate),dated the 28th June, 2017.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009450/ENG/Notifications>

Notification No. 04/2022 -Union Territory Tax (Rate)Date – 13th July 2022Seeks to amend Notification No 12/2017- Union territory Tax (Rate) dated 28.06.2017

The Central Government, has made further amendments in the notification no.12/2017-Union Territory Tax (Rate), dated the 28th June, 2017.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009451/ENG/Notifications>

Notification No. 05/2022 -Union Territory Tax (Rate)Date – 13th July 2022Seeks to amend Notification No 13/2017- Union territory Tax (Rate) dated 28.06.2017.

The Central Government has made further amendments in the notification no.13/2017-Union Territory Tax (Rate),dated the 28th June, 2017.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009452/ENG/Notifications>

Notification No. 06/2022 -Union Territory Tax (Rate)Date – 13th July 2022Seeks to amend notification No. 1/2017- Union Territory Tax (Rate)

The Central Government has made further amendments in the notification no.1/2017-Union Territory Tax (Rate), dated the 28th June, 2017.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009444/ENG/Notifications>

Notification No. 07/2022 -Union Territory Tax (Rate)Date – 13th July 2022Seeks to amend notification No. 2/2017- Union Territory Tax (Rate)

The Central Government, has made further amendments in the notification no. 2/2017-Union Territory Tax (Rate), dated the 28th June, 2017.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009445/ENG/Notifications>

Notification No. 08/2022 -Union Territory Tax (Rate)Date – 13th July 2022Seeks to amend notification No. 3/2017- Union Territory Tax (Rate)

The Central Government has made the amendments in the notification no. 3/2017-Union Territory Tax (Rate), dated the 28th June, 2017

This notification shall come into force on the 18th day of July, 2022.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009446/ENG/Notifications>

Notification No. 09/2022 -Union Territory Tax (Rate)Date – 13th July 2022





## Seeks to amend notification No. 5/2017- Union Territory Tax (Rate)

The Central Government, has made further amendments in the notification no. 5/2017-Union Territory Tax (Rate), dated the 28th June, 2017.

**For more details, please follow-**  
<https://taxinformation.cbic.gov.in/view-pdf/1009447/ENG/Notifications>

## Notification No. 10/2022 -Union Territory Tax (Rate) Date – 13th July 2022

## Seeks to amend notification No. 2/2017- Union Territory Tax (Rate)

The Central Government has made amendments in the notification no.02/2022-Union Territory Tax (Rate), dated the 31st March, 2022

In the said notification, in Table, against Sl. No. 1, for the entry in column (3), the entry “Fly ash bricks; Fly ash aggregates; Fly ash blocks” shall be substituted

This notification shall come into force on the 18th day of July, 2022

**For more details, please follow-**  
<https://taxinformation.cbic.gov.in/view-pdf/1009448/ENG/Notifications>

## Notification No. 11/2022 -Union Territory Tax (Rate) Date – 13th July 2022

## Rescinds notification No. 45/2017- Union Territory Tax (Rate)

The Central Government has rescinded the notification no. 45/2017-Union Territory Tax (Rate) dated the 14th November 2017 except as respects things done or omitted to be done before such rescission.

This notification shall come into force on the 18th day of July, 2022

**For more details, please follow-**  
<https://taxinformation.cbic.gov.in/view-pdf/1009449/ENG/Notifications>

## **CIRCULARS – CGST**

## Circular No.170/02/2022 Date – 6th July 2022

## Mandatory furnishing of correct and proper information

## of inter-State supplies and amount of ineligible/blocked Input Tax Credit and reversal thereof in return in FORM GSTR-3B and statement in FORM GSTR-1

Earlier it is noticed that registered person is not reporting the details of interstate supplies made to unregistered persons, composition dealer and UIN holder in table 3.2 of FORM GSTR-3B on a notion that same has been already reported in table 3.1 of FORM GSTR-3B. Also it has been noticed that address of unregistered person incorrectly captured by supplier especially those belonging to banking, insurance, finance, stockbroker, telecom etc. Now, clarification is issued that every registered person who are making interstate supply to unregistered person, composition dealer and UIN Holder, is required to report the details with POS in table 3.2 of FORM GSTR-3B even though the details of said supply already reported in 3.1 of FORM GSTR-3B. For ease of registered person the details of said supply is being auto-populate from Form GSTR-1.

**For more details, please follow-**  
<https://taxinformation.cbic.gov.in/view-pdf/1003102/ENG/Circulars>

## Circular No. 171/03/2022-GST Date – 6th July 2022

## Clarification on various issues relating to applicability of demand and penalty provisions under the Central Goods and Services Tax Act, 2017 in respect of transactions involving fake invoices.

A number of cases have come to notice where the registered persons are found to be involved in issuing tax invoice, without actual supply of goods or services or both (hereinafter referred to as “fake invoices”), in order to enable the recipients of such invoices to avail and utilize input tax credit (hereinafter referred to as “ITC”) fraudulently. Representations are being received from the trade as well as the field formations seeking clarification on the issues relating to applicability of demand and penalty provisions under the Central Goods and Services Tax Act, 2017 (hereinafter referred to as “CGST Act”), in respect of such transactions involving fake invoices. In order to clarify these issues and to ensure uniformity in the implementation of the provisions of law across the field formations, the Board, in exercise of its powers conferred by section 168 (1) of the CGST Act.

**For more details, please follow-**  
<https://taxinformation.cbic.gov.in/view-pdf/1003103/ENG/Circulars>

Circular No. 172/04/2022-GSTDate – 6th July 2022Clarification on various issue pertaining to GST

Various representations have been received from the field formations seeking clarification on certain issues with respect to–

- i. refund claimed by the recipients of supplies regarded as deemed export;
- ii. interpretation of section 17(5) of the CGST Act;
- iii. perquisites provided by employer to the employees as per contractual agreement; and
- vi. utilisation of the amounts available in the electronic credit ledger and the electronic cash ledger for payment of tax and other liabilities.

In order to clarify the issue and to ensure uniformity in the implementation of the provisions of law across the field formations, the Board, in exercise of its powers conferred by section 168 (1) of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as “CGST Act”)

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1003104/ENG/Circulars>

Circular No. 173/05/2022-GSTDate – 6th July 2022Clarification on issue of claiming refund under inverted duty structure where the supplier is supplying goods under some concessional notification.

Various representations have been received seeking clarification with regard to applicability of para 3.2 of the Circular No. 135/05/2020-GST dated 31.03.2020 in cases where the supplier is required to supply goods at a lower rate under Concessional Notification issued by the Government. In order to clarify the issue and to ensure uniformity in the implementation of the provisions of law in this regard across the field formations, the Board, in exercise of its powers conferred by section 168 (1) of the Central Goods and Services Tax Act, 2017 (hereinafter referred to as “CGST Act”).

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1003105/ENG/Circulars>

Circular No. 174/06/2022-GSTDate – 6th July 2022Prescribing manner of re-credit in electronic credit ledger using FORM GST PMT-03A.

Difficulties were being faced by the taxpayers in taking re-credit of the amount in the electronic credit ledger in cases where any excess or erroneous refund sanctioned to them had been paid back by them either on their own or on being pointed by the tax officer. In order to resolve this issue, GSTN has recently developed a new functionality of FORM GST PMT-03A which allows proper officer to re-credit the amount in the electronic credit ledger of the taxpayer. Further, sub-rule (4B) in rule 86 of the Central Goods and Services Tax Rules, 2017 (hereinafter referred to as “CGST Rules”) has been inserted vide Notification No. 14/2022-CT dated 05.07.2022 to provide for re-credit in the electronic credit ledger where the taxpayer deposits the erroneous refund sanctioned to him.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1003106/ENG/Circulars>

Circular No. 175/07/2022-GSTDate – 6th July 2022Manner of filing refund of unutilized ITC on account of export of electricity.

Reference has been received from Ministry of Power regarding the problem being faced by power generating units in filing of refund of unutilised Input Tax Credit (ITC) on account of export of electricity. It has been represented that though electricity is classified as “goods” in GST, there is no requirement for filing of Shipping Bill/ Bill of Export in respect of export of electricity. However, the extant provisions under Rule 89 of CGST Rules, 2017 provided for requirement of furnishing the details of shipping bill/ bill of export in respect of such refund of unutilised ITC in respect of export of goods. Accordingly, a clause (ba) has been inserted in sub-rule (2) of rule 89 and a Statement 3B has been inserted in FORM GST RFD-01 of the CGST Rules, 2017 vide notification No. 14/2022-CT dated 5th July, 2022. In order to clarify various issues and procedure for filing of refund claim pertaining to export of electricity, the Board, in exercise of its powers conferred by section 168 (1) of the CGST Act, hereby prescribes the following procedure for filing and processing of refund of unutilised ITC on account of export of electricity.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1003107/ENG/Circulars>

[Circular No. 176/08/2022-GST](#)

[Date – 6th July 2022](#)

[Withdrawal of Circular No. 106/25/2019-GST dated 29.06.2019.](#)

Kind attention is invited to Circular No. 106/25/2019-GST dated 29.06.2019 wherein certain clarifications were given in relation to rule 95A, inserted in the Central Goods and Services Tax Rules, 2017 w.e.f. 01.07.2019, for refund of taxes paid on inward supply of indigenous goods by retail outlets established at departure area of the international airport beyond immigration counters when supplied to outgoing international tourist against foreign exchange

The said rule 95A has been omitted, retrospectively w.e.f. 01.07.2019, vide notification No. 14/2022-Central Tax, dated 05.07.2022. Accordingly, the Board, in exercise of its powers conferred by section 168(1) of the Central Goods and Services Tax Act 2017 hereby withdraws, ab-initio, Circular No 106/25/2019-GST dated 29th June, 2019

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1003108/ENG/Circulars>

## **Customs Tariff Notifications**

[Notification No. 38/2022-Customs](#)

[Date – 4th July 2022](#)

[Seeks to extend the exemption from BCD and AIDC upon import of Raw Cotton](#)

The Central Government has made the amendment in the notification no. 21/2022-Customs, dated the 13th April, 2022

In the said notification, in paragraph 2, for the figures, letters and word “30th September, 2022”, the figures, letters and word “31st October, 2022” shall be substituted

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009411/ENG/Notifications>

[NOTIFICATION No. 39/2022-Customs](#)

[Date – 12th July 2022](#)

[Seeks to amend notification No. 50/2017-Customs with](#)

[respect to the tariff heading referring to the open cells for use in manufacture of TV Panels of heading 8524](#)

The Central Government, has made the further amendment in the notification no. 50/2017-Customs, dated the 30th June, 2017

In the said notification, in the Table, against S. No. 515A, in Column (2), for the figure “8529”, the figure “8524” shall be substituted.

**For more details, please follow-**

<https://taxinformation.cbic.gov.in/view-pdf/1009424/ENG/Notifications>

[Notification No. 40/2022-Customs](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 50/2017-Customs for DEC tablet and S. No. 404 Petrol operations.](#)

The Central Government has made further amendments in the notification no. 50/2017-Customs, dated the 30th June, 2017

**For further details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009428/ENG/Notifications>

[Notification No. 41/2022-Customs](#)

[Date – 13th July 2022](#)

[Seeks to amend notification No. 19/2019-Customs for defence related imports.](#)

The Central Government has made further amendments in the notification no. 19/2019-Customs, dated the 6th July, 2019,

In the said notification, in the opening paragraph, for the words “Ministry of Defence or the Defence forces, or the Defence Public Sector Units or other Public Sector Units”, the words “Ministry of Defence or the Defence forces, or the Defence Public Sector Units or other Public Sector Units or any other entity” shall be substituted.

This notification shall come into force on the 18th day of July, 2022.

**For further details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009429/ENG/Notifications>



Notification No. 42/2022-CustomsDate – 13th July 2022Seeks to amend notification No. 51/96-Customs for withdrawing IGST exemption.

The Central Government has made further amendments in the notification no. 51/96-Customs, dated the 23rd July, 1996

In the said notification, the words, brackets and figures, “and from the whole of integrated tax leviable thereon under sub-section (7) of section 3 of the said Customs Tariff Act”, shall be omitted.

This notification shall come into force on the 18th day of July, 2022

**For further details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009430/ENG/Notifications>

Customs Non Tariff Notifications

Notification No.58/2022 -Customs (N.T.)

Date – 7th July 2022Exchange rate Notification No.58/2022-Cus (NT) dated 07.07.2022-reg.

In exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and in supersession of the Notification No.51/2022-Customs(N.T.), dated 16th June, 2022 except as respects things done or omitted to be done before such supersession, the Central Board of Indirect Taxes and Customs hereby determines that the rate of exchange of conversion of each of the foreign currencies specified in column (2) of each of Schedule I and Schedule II annexed hereto, into Indian currency or vice versa, shall, with effect from 8th July, 2022, be the rate mentioned against it in the corresponding entry in column (3) thereof, for the purpose of the said section, relating to imported and export goods

**For further details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009418/ENG/Notifications>

Notification No.59/2022 -Customs (N.T.)Date – 12th July 2022Publication of Controlled Delivery (Customs) Regulations 2022-reg.

In exercise of the powers conferred by sub-section (1) of section 157 read with section 109A of the Customs Act, 1962 (52 of 1962), the Central Board of Indirect Taxes and Customs hereby makes the following regulations, namely:-

1. Short Title and commencement.- (1) These regulations may be called the Controlled Delivery (Customs) Regulations, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

**For further details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009425/ENG/Notifications>

Notification No. 60/2022 -Customs (N.T.)

Date – 13th July 2022

Fixation of Tariff Value of Edible Oils, Brass Scrap, Areca Nut, Gold and Silver- regarding.

The Central Board of Indirect Taxes & Customs, has made

the amendments in the notification no. 36/2001-Customs (N.T.), dated the 3rd August, 2001.

**For further details , please follow -**

<https://taxinformation.cbic.gov.in/view-pdf/1009426/ENG/Notifications>

## Customs Anti Dumping Notifications

### Notification No. 23/2022-Customs (ADD)

Date – 12th July 2022

Seeks to amend the name of Country of Export from 'Singapore' to 'Any country including Indonesia' for the producer 'PT. ENERGI SEJAHTERA MAS' and Exporter 'Sinarmas CEPESA Pte. Ltd.' in Customs Notification No. 28/2018-Customs (ADD) dated 25 th May, 2018 which imposed Anti-dumping duty on imports of 'Saturated Fatty Alcohols' from Indonesia, Malaysia, Thailand and Saudi Arabia.

The Central Government has made the further amendment in the notification no. 28/2018-Customs (ADD), dated the 25th May, 2018

*For further details , please follow -*

<https://taxinformation.cbic.gov.in/view-pdf/1009420/ENG/Notifications>

## **DIRECT TAX NOTIFICATIONS AND CIRCULARS**

### Notification No. 79/2022

Date – 6th July 2022

Notification regarding Uttar Pradesh Electricity Regulatory Commission

The Central Government has notified for the purposes of the said clause, 'Uttar Pradesh Electricity Regulatory Commission' (PAN AAALU0227H), a commission constituted under the Uttar Pradesh Electricity Reforms Act, 1999 (U.P. Act No.24 of 1999), in respect of the following specified income arising to that Commission, namely: -

- (a) Amount received in the form of Government grants;
- (b) Amount received in the form of licence fees & Fines; and
- (c) Interest earned on (a) & (b) above.

This notification shall be effective subject to the conditions that Uttar Pradesh Electricity Regulatory Commission, -

- (a) shall not engage in any commercial activity;
- (b) activities and the nature of the specified income shall remain unchanged throughout the financial years; and
- (c) shall file return of income in accordance with the provision of clause (g) of sub-section (4C) of section 139 of the Income-tax Act, 1961.

This notification shall be deemed to have been applied for the financial year 2021-2022 and shall be applicable with respect to the financial years 2022-2023, 2023-2024, 2024-2025 and 2025-2026.

### Notification No. 80/2022

Date – 8th July 2022

#### Conditions to be fulfilled by original fund u/s 47(viiad) if resultant fund is Category III AIF

In exercise of the powers conferred by sub-clause (iv) of clause (a) of Explanation to clause (viiad) of section 47 read with section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes has made further amendments in the Income-tax Rules, 1962, namely:

1. Short title and commencement. —
  - (1) These rules may be called the Income-tax (21st Amendment) Rules, 2022.
  - (2) They shall come into force from the date of their publication in the Official Gazette.

2. In the Income-tax Rules, 1962, after rule 21AK, the following rule shall be inserted, namely: — "21AL. Other Conditions required to be fulfilled by the original fund. - For the purposes of sub-clause (iv) of clause (a) of Explanation to clause (viiad) of section 47 of the Act, the original fund, in a case where a capital asset is transferred to a resultant fund being a Category III Alternative Investment Fund, shall fulfil the condition that the aggregate participation or investment in the original fund, directly or indirectly, by person's resident in India shall not exceed five per cent. of the corpus of such fund at the time of such transfer.

Explanation. - For the purpose of this rule, the expressions "original fund" and "resultant fund" shall have the meanings respectively assigned to them in the Explanation to clause (viiac) and clause (viiad) of section 47."

Notification No. 81/2022Date – 8th July 2022Notification regarding Bihar Electricity Regulatory Commission

CBDT has notified for the purposes of the said clause, 'Bihar Electricity Regulatory Commission' (PAN AAALB1099E), a Commission constituted by the State Government of Bihar, in respect of the following specified income arising to that Commission, namely:

- (a) amount received as licence fee from licensees in electricity;
- (b) amount received as application processing fee; and
- (c) Interest earned on Government Grants and on (a) & (b) above.

This notification shall be effective subject to the conditions that Bihar Electricity Regulatory Commission: -

- (a) shall not engage in any commercial activity;
- (b) activities and the nature of the specified income shall remain unchanged throughout the financial years; and
- (c) shall file return of income in accordance with the provision of clause (g) of sub-section (4C) of section 139 of the Income-tax Act, 1961.

This notification shall be deemed to have been applied for the financial year 2021-2022 and shall be applicable with respect to the financial years 2022-2023, 2023-2024, 2024-2025 and 2025-2026.

Notification No. 82/2022Date – 8th July 2022Amendment in Notification No. 60/2014

CBDT has made the following amendments in the Notification of the Government of India, Ministry of Finance No. 60/2014, published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (ii) vide number S.O. 2817(E) dated the 3rd November, 2014, namely: - In the said Notification, -

in clauses (a) and (b), for the word "Table", the word "Schedule" shall respectively be substituted.

for clause (c), the following clause shall be substituted, namely: -

"(c) the Commissioner of Income-tax as specified in column (4) of the Schedule below shall be subordinate to the Chief Commissioner of Income-tax specified in column (3) of the said Schedule."

(iii) in the Schedule, in Serial Number 1, under column number (3), the following shall be inserted, namely: - "Chief Commissioner of Income-tax (International Taxation), Delhi"

This notification shall come into force from the date of publication in the Official Gazette.

**For further details, please follow –**

<https://incometaxindia.gov.in/communications/notification/notification-82-2022.pdf>

Notification No. 83/2022Date – 12th July 2022Income-tax (Twenty Second Amendment) Rules, 2022

CBDT has made further amendments in the Income-tax Rules, 1962, namely: ---

1. Short title and commencement. ---

(1) This rule may be called the Income-tax (Twenty Second Amendment) Rules, 2022.

(2) They shall come into force from the date of its publication in the Official Gazette.

2. In the Income-tax Rules, 1962 (hereinafter referred to as the principal rules), in Part IIIA, rule 16 shall be renumbered as rule 15A thereof and after rule 15A as so numbered, the following rule shall be inserted, namely: ---

16. Application under section 158AB to defer filing of appeal before the Appellate Tribunal or the jurisdictional High Court. - The application referred to in sub-section (2) of section 158AB, required to be made before the Appellate Tribunal or the jurisdictional High Court, as the case may be, shall be made in Form No. 8A by the Assessing Officer.

**For further details, please follow –**

<https://incometaxindia.gov.in/communications/notification/notification-83-2022.pdf>

TB



## THE INSTITUTE OF COST ACCOUNTANTS OF INDIA

(Statutory Body under an Act of Parliament)

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# PRESS RELEASE

Date - 4th July, 2022

### Income Tax Department conducts searches in Chhattisgarh

Income Tax Department carried out search and seizure operations on 30.06.2022 on a group engaged in business of coal transportation and other allied activities. The premises of a senior government officer was also covered in the search action. In all, the search operation covered more than 30 premises spread over Raipur, Bilai, Raigarh, Korba, Bilaspur, Surajpur etc.

During the course of the search operation, numerous incriminating documents, loose sheets and digital evidences have been found and seized. The modus-operandi followed by the group includes unfair regular collection on coal transportation throughout the State of Chhattisgarh leading to generation of huge unaccounted income. Evidence of such collection of more than ₹ 200 crore during a short time period has been found. The same has been corroborated by the key trusted associates of the group. Instances of certain cash payments made to government officials have also been identified.

The seized evidences also indicate that the group has made unaccounted cash payment of approximately ₹. 45 crore in purchasing coal washeries.

Further, evidence has also been found which reveals that cash expenditure has been incurred by the group during the recently held elections.

During the search, a large number of property agreements have been found, which reveal that huge undisclosed investments have been made in acquisition of immovable properties, which appear to be benami in nature. The source of investment made in acquisition of 50 acres of immovable properties, by the purported owners, related to the government officer, is under further investigation.

Undisclosed cash exceeding ₹ 9.5 crore and jewellery of ₹ 4.5 crore have been seized during the search operation, so far. A preliminary investigation of such incriminating evidences gathered during the search suggests that the group has evaded income running into few hundreds of crores.

Further investigations are in progress.

Date - 7th July, 2022

### Income Tax Department conducts searches in Odisha

The Income Tax Department carried out search and seizure operations on a group engaged in the business of mining, processing and trading of

black stones. The search operation covered more than 15 premises located at Bhubaneswar, Jajpur, Cuttack, Dhenkanal, Keonjhar, Hyderabad, Kolkata, Gurugram, Noida etc.

During the course of the search and seizure operations, various incriminating documentary and digital evidences, including handwritten books and loose sheets, have been found and seized. The seized documents contain systematic details of cash sales and bogus sundry creditors exceeding ₹ 80 crore. The analysis of seized documents indicates that these cash sales are undisclosed and are not recorded in the regular books of account of the group.

The group is found to have made huge unaccounted investments in acquisition of properties. The search action has led to seizure of unaccounted cash, jewellery & bullion exceeding ₹ 1 crore.

Further investigations are in progress.

Date - 8th July, 2022

### Income Tax Department conducts searches on Pharmaceutical Manufacturers and Distributors in Haryana and Delhi-NCR

The Income Tax Department carried out search and seizure operations

on 29.06.2022 on a group engaged in the business of manufacturing and distribution of Pharmaceutical medicines and Real Estate Development. The search action covered 25 premises in Delhi-NCR and Haryana.

A large number of incriminating documents in the form of loose sheets and digital data have been found and seized. These documents reveal that the group was involved in huge unaccounted sales of pharmaceutical medicines in cash. Large amount of purchases, payments of wages and other expenses were also found to have been made in cash.

This modus-operandi of unaccounted cash sales of pharmaceutical medicines, including cash receipts through hawala for sale of medicines to Afghanistan, has been admitted by a key person involved in such transactions. The preliminary analysis of the seized data indicates that such hawala cash receipts amount to ₹ 25 crore approximately. In the case of one pharmaceutical concern dealing in Active Pharmaceutical Ingredients (API), surplus stock valued at Rs. 94 crore has been found.

It is also found that the cash generated through unaccounted cash sales has been invested in purchase of immovable properties, and in expansion of manufacturing facilities of Pharmaceutical medicines. The real estate entities of the group are found to be engaged in out-of-books sale and purchase of properties in cash. The group has also been booking bogus Long Term/ Short Term Capital Losses in the securities market to offset the capital gains earned on such property transactions. The amount of such bogus losses is estimated to be around ₹ 20 crore. The search action has revealed that the group has also

floated benami entities to purchase immovable properties in the State of Himachal Pradesh.

So far, unaccounted cash of ₹ 4.2 crore and jewellery/bullion worth ₹ 4 crore have been seized.

Further investigations are in progress

**Date - 11th July, 2022**

#### **Income Tax Department conducts searches on two real estate groups of Bengaluru and Hyderabad**

Income Tax Department carried out search and seizure operations on two leading real estate groups of Bengaluru and Hyderabad, engaged in the business of construction/sale/leasing of commercial/residential space, and educational and hospitality services. The search action covered more than 40 premises located in Bengaluru, Hyderabad and Chennai.

During the course of the search operations, several incriminating documents and digital evidences have been seized. The preliminary analysis of seized evidences has revealed that the land owners had entered into Joint Development Agreement (JDA) with a Bengaluru-based developer. They have received super built up area from developer in lieu of the land given to the developer for the development of various projects. However, the land owners failed to declare the capital gains accruing from the transaction, though completion certificates for the projects have been obtained. The amount of such undisclosed capital gains is estimated at more than ₹ 400 crore.

The initial analysis of the seized documents has also revealed that these groups have suppressed income to the tune of ₹ 90 crore in respect of the revenue recognizable from the

sale of units in real estate. Further, both the groups have indulged in tax-evasion by inflation of expenses in the construction and development business to the tune of ₹ 28 crore, having claimed bogus purchases and resorted to over-invoicing of the construction materials.

It has also been found that interest-bearing borrowed funds have been diverted to related entities/parties for non-business purposes by the main entities of both the groups. Instances of the transactions involving advances/loans between the group companies have also been found, which partake the character of deemed dividend and hence liable to be taxed as income.

In the case of a trust covered in the search action, it has been found that the trust has failed to utilize, within the specified permissible time limit, the accumulated amount of ₹ 40 crore for the specified purpose as per the objects of the registered trust deed.

So far, the search action has led to the seizure of undisclosed cash of ₹ 3.50 crore and gold, silver, jewellery worth ₹ 18.50 crore.

Further investigations are in progress.

**Date - 11th July, 2022**

#### **Income Tax Department conducts searches on two business groups in Tamil Nadu**

Income Tax Department carried out search and seizure operations on 06.07.2022 on two business groups of Tamil Nadu engaged in the business of Civil Contracts, Real Estate, Advertising etc. The search operations were carried out at more than 40 premises located in Chennai, Coimbatore and Madurai.

During the course of the search





operations, various incriminating documentary and digital evidences have been seized. The preliminary examination of such evidences indicates that both these groups have been suppressing their taxable income by claiming bogus purchases and expenses in their books of account over the last few years.

In the case of one of the groups, it has been found that the payments made for these bogus purchases etc. were being received back in cash by

the group. In addition, evidences have been found indicating suppression of huge income on account of sharing of profits in joint ventures, which is not reflected in the regular books of account.

In the case of the second group, it has been found that the group had created a number of bogus entities which were being used for claiming bogus purchases and sub-contract expenses. Secret hideouts, maintained by the group for keeping documentary

and electronic records in respect of such unaccounted and bogus transactions, were also discovered by the search team. Evidences showing introduction of bogus capital and loan liabilities in the books of account of some group concerns have also been unearthed.

The undisclosed income of the groups detected so far is estimated at more than ₹ 500 crore.

Further investigations are in progress



# INDIRECT TAX JUDGEMENT

*18% GST applicable on the supply of Printed Leaflet on own paper and materials*

**TAMILNADU AAR**

**Applicant - M/s. the Coronation Arts Crafts**

## FACT OF THE CASE

1. M/s. the Coronation Arts Crafts is the manufacturer and supplier of printed leaflet product
2. M/s. Hindustan latex Ltd, a Government of India enterprise, by using their paper and ink, who in turn supplies the leaflet product along with their own manufactured product.
3. The leaflet product is supplied by the Applicant to the Recipient charging 12% of IGST classifying the supply under SAC Heading 9989.

### The applicant raised the questions:

- Whether manufacturing and supply of printed leaflet product on the physical input owned by the Applicant and the printing content supplied by the Recipient is classifiable as supply of goods or supply of services under the CGST Act?
- What is the applicable GST rate on supply of such printed leaflet products by the Applicant?

## DECISION OF THE CASE

The AAR, Tamil Nadu in the matter of *M/s. the Coronation Arts Crafts [Order No.19/ARA/2022 dated May ,31 2022]* has held that the supply of printed leaflets on paper and materials of the Supplier of the content provided by the Recipient is a composite supply as defined under Section 30)2) of the Central Goods and Services Tax Act, 2017 (*“the CGST Act”*) with ‘Supply of service of printing’ as the principal supply with the %18 applicable GST rate.

*ITC is not available on input, input services and capital goods on purchased for the construction of the LNG jetties*

**Gujarat AAAR**

**Applicant - M/s. Swan LNG Pvt. Ltd**

## FACT OF THE CASE

1. M/s. Swan LNG Pvt. Ltd, has entered into a concession

agreement with the Gujarat Maritime Board and the Government of Gujarat for the development, construction, operation and maintenance of the LNG Port with a Floating Storage and Regasification Unit facility near Jafrabad, Gujarat, on Build, Own, Operate and Transfer basis.

2. As a part of developing the LNG Port and FSRU facility, the Appellant is developing an Import Terminal for FSRU near the village Bhankodar, near Jafrabad, Gujarat.
3. After the development of the Import Terminal, the Appellant intends to provide the LNG regasification service to prospective customers.

### The applicant raised the question:

- Whether the LNG jetties are in the nature of plant and machinery and can the ITC be availed on input, input services, and capital goods for the purchase of construction of the LNG jetties?

## DECISION OF THE CASE

The AAAR, Gujarat, in the matter of *M/s. Swan LNG Pvt. Ltd [Advance Ruling (Appeal) No. GUJ/GAAAR/APPEAL/06/2022]* has held that the Liquefied Natural Gas (“LNG”) jetties built are not in the nature of plant and machinery and therefore, the Input Tax Credit (“ITC”) on input, input services and capital goods for the construction of building the LNG Jetties are not admissible.

*GST is leviable on services provided by the Liaison Office to the Foreign Head Office*

**Maharashtra AAAR**

**Applicant - Dubai Chamber of Commerce and Industry**

## FACT OF THE CASE

1. Dubai Chamber of Commerce and Industry is the LO of the Dubai Chamber of Commerce and Industry, Dubai that provides services for connecting business partners in Dubai with businesses in India for a consideration from the Head Office.
2. The Appellant is a non-profit organization, formed to represent, support and protect the interests of the Dubai business community in India, by



creating a favourable environment, promoting Dubai businesses and supporting the development of business in India, wherein the Appellant undertakes certain liaison/representation activities in India, attending and representing the Head Office in various seminars, conferences & trade fairs, connecting businesses in India with business partners in UAE and vice versa, and organizing events & interactions with Indian stakeholders for sharing information about Dubai.

3. All the expenses incurred by the Appellant (predominantly office rent, salaries, and consultancy services), are to be reimbursed from the Head Office on a cost-to-cost basis. Thus, no consideration is to be charged/ paid for such activities.
4. The applicant raised the questions:
  - Whether the activities performed by the Appellant shall be treated as supply under the GST?
  - Whether the activities undertaken by the Appellant at the behest of their Dubai Head Office can be construed as that of an “intermediary”?
  - Whether the Appellant is required to obtain the GST registration?
  - Whether the Appellant is required to pay the GST.

## DECISION OF THE CASE

The AAAR, Maharashtra in *Dubai Chamber of Commerce and Industry [Order No. MAH/AAAR/AM-RM/08/2022-23 dated June 23, 2022]* has modified the order of the AAR, to the extent that, the activities performed by the Liaison Office (“LO”) acting as link for communication, at the behest of foreign Head Office, cannot be considered as an intermediary. Held that, such activities will come under the ambit of “Supply”, for which LO is liable to GST and required to take GST Registration to discharge their liability, on the amount received from the Head Office.

### *Applicability of GST on sale of used motor vehicles*

#### *Gujarat Authority for Advance Ruling AAR*

**Applicant - M/s Dishman Carbogen Amcis Private Limited**

## FACT OF THE CASE

1. The applicant had purchased a new motor vehicle on 16th February 2018 for its business use.

2. The applicant did not avail the GST Input Tax Credit on the said vehicle and instead capitalized the GST amount as well and claimed applicable depreciation under Income Tax Act, 1961.
3. The applicant now wishes to sale the motor vehicle.
4. The applicant raised the questions:
  - On what value, the new car purchase by the company is sold after using it for business purpose, shall the GST be charged? Whether the value of old and used car, sold by the company as mentioned above, can be taken as the value that represent margin of the supplier, on supply of such car, and whether the GST can be charged on such margin?
  - At what rate of GST, the new car purchase by the company is sold after using it for business purpose, shall the GST be charged?

## DECISION OF THE CASE

1. AAR noted that since ITC has not been availed on Motor Vehicle at the time of purchases, it would be covered under Notification 8/2018-ct(R) dated 25th January 2018 as applicable for old and used cars. AAR finally ruled as under on the stated questions:
2. The Value for intended supply shall be the difference between the consideration received for supply of said car and the depreciated value of the said car on the date of supply as per Income Tax Act, 1961.
3. GST rate leviable is 18% (9% CGST & 9% SGST).

### *Renting Land For Fish/Prawn Farming Attracts 18% GST*

#### **Andhra Pradesh Authority of Advance Ruling (AAR)**

1. Applicant - Sri Vinayaka Hatcheries  
The applicant had executed an agreement with Grobest Feeds Corporation (India) Private Limited for the purpose of taking a vacant land with a water channel meant for fish/prawn farming.
2. The applicant approached the Authority seeking an advance ruling on the applicability of GST on the renting of land.
3. The applicant raised the questions:
  - On the applicability of GST on the rental of land.
  - Whether the activity of fish/prawn farming is



covered under “services relating to rearing all life forms of animals by way of renting or leasing of vacant land.”

- Whether the applicant is eligible for GST exemption as per Sl.No.54 of notification No. 12/2017 central tax (Rate) dated 28.06.2017 and corresponding notification under Andhra Pradesh GST

### **DECISION OF THE CASE**

The Andhra Pradesh Authority of Advance Ruling (AAR), consisting of D. Ramesh and RV Pradhamesh Bhanu, has ruled that %18 GST is payable on the rental of land for fish or prawn farming as the purpose of use of land was not mentioned in the lease agreement.

# INDIRECT TAX JUDGEMENT

*Sale of renewable energy certificate of income received by the assessee Is a capital receipt: ITAT*

## FACT OF THE CASE

1. The assessee-company filed its return of income on 30.09.2015, declaring a total loss of ₹ 229,54,99,761/-. The case was selected for scrutiny under CASS. During the Assessment Year (AY) -2015 16, the assessee was engaged in the business of raising ore, manufacturing Nitrogen Gas & Ferro Alloys, trading of Iron Ore & Ferro Alloys, generation of electricity (Wind Power & Solar Power), railway siding for captive use, and operating lease of solar energy equipment. During the scrutiny assessments, various additions were made by the AO.
2. The assessee preferred the appeal against the order before the CIT (A). The CIT (A) disallowed the common expenses against the deduction claimed under Section 80IA of ₹ 5,92,7000 and the carbon credit treated as revenue income under Section 28 of Rs. 102,05,87.

## DECISION OF THE CASE

1. The ITAT noted that any money received for carbon credits or environmental protection is not included in business income. However, with the insertion of Section 115BBG w.e.f. 2018-04-01, revenue from the transfer of carbon credits has been granted a unique status as liable to tax at %10 and not as part of the assessee's usual business income. The amendment was enacted prospectively and so cannot be applied to the assessment years 16-2015.
2. The ITAT deleted the addition of ₹ 10,20,587 by the AO from the sale of carbon credit and confirmed it by the CIT (A).
3. The Mumbai Bench of the Income Tax Appellate Tribunal (ITAT) has held that the sale of renewable energy certificates (carbon credit) of income received by the assessee is a capital receipt.

*Reopening of IT assessment by officer having No Jurisdiction: Madras HC invalidates proceedings*

## FACT OF THE CASE

1. The appellant was an assessee on the file of the ACIT at Chennai. For the assessment year -2011 2012, the assessee filed her return of income on April 2012 ,19, admitting an income of ₹ 11,60,000/-, which was processed by the Assessing Officer under Section 1) 143) of the Income Tax Act, 1961.
2. After a period of five years, the assessee received a notice dated March 2018 ,28 issued by the ACIT Mumbai under Section 148 purportedly to re-assess the income tax return submitted by her for the assessment year 2012-2011.
3. In response, the assessee submitted a reply dated April 2018 ,26, stating that the ACIT Mumbai has no jurisdiction to issue a reassessment notice. Therefore, the assessee requested to drop the reassessment proceedings. Subsequently, the ACIT Mumbai transferred the files pertaining to the appellant to the ACIT Chennai.
4. The ACIT Chennai continued the reassessment proceedings by issuing a notice dated December 2018 ,12 directing the appellant to appear and file a return of income along with supportive documents.
5. The department contended that the appellant had received an amount towards her share in respect of the property in Mumbai from a developer within the jurisdiction of the ACIT Mumbai. Therefore, a notice under section 148 of the Act was issued by the ACIT Mumbai. When the appellant raised an issue of jurisdiction, the entire materials collected by the ACIT Mumbai were sent to the ACIT Chennai for continuing the reassessment proceedings. Accordingly, the ACIT Chennai seized of the reassessment proceedings within whose jurisdiction the appellant resides.
6. The appellant contended that the ACIT Mumbai lacked jurisdiction to begin reassessment proceedings by issuing the notice dated March 2018 ,28. The ACIT Mumbai was aware that the appellant was not residing within the jurisdiction of the ACIT Mumbai. After a period of five years

from the completion of the original assessment for the assessment year 2012-2011, the reassessment proceedings were initiated. It alleged that some of the income was not disclosed by the appellant truly and fully. However, there was no income omitted to be included by the appellant for assessment during the assessment year in question. Therefore, the reassessment proceedings ought not to have been initiated by the ACIT Mumbai against the appellant.

### DECISION OF THE CASE

1. The court held that the notice issued by the ACIT Mumbai under section 148 as well as the consequential notice issued by the ACIT Chennai cannot be allowed to be sustained. The court held that the single judge bench erred in directing the ACIT Chennai to continue the reassessment proceedings.
2. "In such circumstances, there is no requirement for this court to go into the other issue based on the factual matrix projected by the appellant, i.e., whether the appellant has disclosed fully and truly all the material particulars that are necessary for assessment for the relevant assessment year," the court said.

### *ITAT Directs AO to Allow Depreciation On Molasses Tanks by Making the Correct Computation of New Assets*

#### FACT OF THE CASE

1. The appellant/assessee is a limited company and is in the business of manufacturing sugar. It has its registered office at Kolkata and a factory at Sasa Musa, Dist. Gopalganj, Bihar.
2. The assessee filed its return of income on 30.09.2014, reporting total income as nil. The statutory notices were issued, which were compiled by the assessee. In the course of assessment proceedings, the AO asked the assessee to furnish work of book profit under the provisions of section 115JB of the Act. The assessee submitted that it is not liable to pay tax on book profit and the provisions of section 115JB are not applicable in its case.
3. The AO determined the business income after making certain additions and disallowances. The assessee had reported a loss of ₹ 49,75,164 and claimed it as a carry forward to be set off in

subsequent years.

4. While completing the assessment, the AO did not set off past losses and held that the tax computed on total income on book profit was higher than the tax computed under the normal provisions. Therefore, the assessee was required to pay tax on the book profit under section 115JB.

### DECISION OF THE CASE

1. The assessee appealed before the CIT (A) against the order of the AO. The CIT (A), in respect of the claim of depreciation on the molasses tank, directed the AO to allow depreciation after verifying that the new plant and machinery were put to use.
2. The ITAT directed the AO to allow the claim of the assessee on depreciation on molasses tanks by making the correct computation in respect of new assets and the correct written down value (WDV) of the molasses tanks.

### *Imparting Skill Development Is Akin To Providing Education, Eligible For Section 12AA Registration: ITAT*

#### FACT OF THE CASE

1. The appellant/assessee, C.R. Dadhich Memorial Society was established under the Haryana Registration and Regulation of Societies Act, 2012 on 02.03.2016. The objective of the society was to render efficient services to the nation and to take over, establish, run, and manage teacher training institutions.
2. The assessee provides other facilities to meet the requirements of educational institutions in general and for handicapped and distressed people in particular. In affiliation with the Pradhan Mantri Kaushal Vikas Yojana (PMKVY), the assessee operates a skill development training center.
3. The assessee applied for registration under section 12AA of the Income Tax Act, 1961 on 27.07.2017, which was rejected on 31.01.2018. The order rejected the application by stating that imparting skills development is not covered under the charitable activities mentioned under section 15(2) of the Income Tax Act.
4. After the rejection, the assessee applied again for registration under section 12A of the Income Tax Act,

1961 and duly replied to all the queries raised by the CIT (E), Chandigarh. The application was rejected under section 12AA. The CIT (E) in the order stated that imparting skill development training does not partake in the meaning of public charity.

## DECISION OF THE CASE

1. The ITAT noted that training constitutes a basic concept in human resource development. It is concerned with developing a particular skill to a desired standard through instruction and practice.
2. Training is a highly useful tool that can bring a person into a position where they can do their job correctly, effectively, and conscientiously.
3. Training is the act of increasing the knowledge and skills of a person to do a particular job. Under the scheme, the assessee with the Ministry of Skill Development & Entrepreneurship (MSDE) affiliation has provided training to Indian youths and falls under the category of Education and Advancement.
4. The ITAT relied on the decision of ITAT Delhi in the case of Process-cum-product Development Centre Versus Addl. CIT. It was held that the word “education” is to be given a wide interpretation, which includes training and developing the knowledge, skills, mind, and character of the students through normal schooling.


### *Approval of demerger would not entail the benefit of Set-off u/s 72A of IT Act: ITAT*

## FACT OF THE CASE

1. During the relevant previous year, Highway Solutions of Cummins Auto Services Ltd., a %100 subsidiary of the assessee company M/s. Cummins Sales & Services (I) Ltd., was demerged and vested with the assessee company. The scheme of the demerger was approved by the High Court of Bombay. The assessee company claimed set-off of the brought forward business losses and unabsorbed depreciation losses relating to the demerged undertaking against the assessee’s taxable income, as provided under Section 72A (4) of the Income Tax Act.
2. During the assessment proceedings, the Assessing Officer (AO) found that the assets of the demerged undertaking were held for sale, indicating that there was no intention of the assessee to continue the

business of the demerged undertaking. Thus, the AO concluded that the scheme of demerger was not carried out for a genuine purpose as contemplated under Section 72A (5) of the Income Tax Act. Therefore, the AO passed an order denying the claim of set-off of brought forward business losses and unabsorbed depreciation losses pertaining to the demerged undertaking.

3. Against this, the assessee filed an appeal before the Commissioner of Income Tax (Appeals) (CIT(A)).
4. The CIT(A) held that once the demerger was approved by the Bombay High Court, the AO had no jurisdiction to question the motive behind the demerger.
5. The ITAT noted that in the scheme of demerger approved by the High Court, no condition was mentioned about the issue of set-off of brought forward business losses and unabsorbed depreciation losses.
6. Hence, the ITAT held that the mere fact that the scheme of demerger or amalgamation was accorded approval by the High Court, did not automatically entitle the assessee to claim the set-off of brought forward business losses.
7. The ITAT noted that there is no difference in the object behind the enactment of the provisions contained in Section 72A (1), that governs the scheme of amalgamation, and in the provisions of Section 72A (4), that deals with the case of demerger. The ITAT held that both the provisions have been enacted with same objective.
8. The ITAT observed that the only object of the provisions of Section 72A is the revival of sick units and of relieving the Government of the uneconomical burden of taking over and running the sick units, as well as to save the Government from the social costs in terms of loss of production and unemployment.
9. The ITAT noted that after the scheme of the demerger, the assessee had not carried on any business of the demerged undertaking. The ITAT added that the fact that the assets of the demerged unit were held for sale showed the intention of the assessee of not carrying on the business of the demerged undertaking. The ITAT ruled that the scheme of demerger was carried out only with the sole object of availing the benefit of set-off of brought forward



business losses and unabsorbed depreciation losses of the demerged undertaking.

10. The ITAT ruled that the reasoning of the AO in denying the set-off was consistent with the object behind the enactment of the provisions contained in Section 72A.
11. The ITAT, thus reversed the order passed by the CIT (A) of allowing set-off of brought forward business losses and unabsorbed depreciation losses relating to the demerged undertaking.

### DECISION OF THE CASE

1. The Pune Bench of ITAT has ruled that the mere fact that the scheme of demerger or amalgamation was approved by the High Court, does not automatically

entitle the assessee to claim the set-off of brought forward business losses relating to the demerged or amalgamating undertaking.

2. The Bench, consisting of S. S. Viswanethra Ravi (Judicial Member) and Inturi Rama Rao (Accountant Member), held that Section 72A (5) of the Income Tax Act, 1961 has been enacted empowering the Assessing Officer to deny the benefit of set-off of brought forward business losses, and hence, merely because the scheme of demerger was approved by the High Court would not ipso facto entitle the assessee to the benefit of set-off, if the scheme was contrary to the objects behind the enactment of the provisions of Section 72A.

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# REPORT OF 1<sup>ST</sup> JULY 2022-WEBINT\_ GST IN INDIA - POISED TO DELIVER SUSTAINABLE GROWTH

On 1<sup>st</sup> July 2022, The Tax Research Department of the Institute of Cost Accountants of India celebrated GST Day virtually through organizing a WBINT from 10.00 a.m to 1.00 p.m. on the theme **GST in India –Poised to deliver poised to deliver Sustainable Growth.**

**Shri Pradeep Gooptu- Writer and Resident Editor of Business Standard** graced the occasion as Chief Guest. **CMA P. Raju Iyer**, President of the Institute graced the occasion.

**CMA Chittaranjan Chattopadhyay**, Chairman Indirect Taxation Committee, **CMA Rakesh Bhalla**, Chairman Direct Taxation Committee and **CMA K Ch A V S N Murthy, Chairman, Regional Council & Chapters Coordination Committee** were also present in the event.

The Technical Session was themed on “5 years of GST – Rebooting Need of the Hour”

**CMA M.S Mani**, Partner - Deloitte India Tax Practice moderated the session and **CMA Amit Sarker, Partner - Indirect Tax practice of Deloitte Haskins & Sells LLP; CMA Rahul Renavirkar**, Managing Director - Acuris Advisors Pvt. Ltd and **CMA M Acharjee, General Manager – Finance [Numaligarh Refinery Limited-Guwahati]** shared their knowledge as the speakers.

The program started with the Institute anthem followed by a brief introduction about the program given by the Tax Research Department.

**CMA Chittaranjan Chattopadhyay**, Chairman of Indirect Taxation Committee in his welcome speech recapitulated the journey of GST in last 5 years and appreciated seamless effort union government for structuring GST through several notifications, amendments. He also expressed his gratitude to the guests and dignitaries.

**CMA P. Raju Iyer**, the President of the Institute welcomed all resource persons. He also appreciated the concept of “ONE NATION ONE TAX” behind the implementation of GST. He mentioned that though initially there were several

obstacles in GST however with the passage of time it is becoming simpler. He also pointed out that professional body like our Institute is also playing an important role for successful execution of GST through helpdesk, several courses for imparting the knowledge of GST specially in MSME sectors.

The Chief Guest, **Mr. Pradeep Gooptu** recognized the effort of Govt. of India for implementation of GST to bring uniformity in Indirect Taxation in India. He also explained very nicely the history of Taxation System in India and linkage between ancient taxation structure and modern taxation structure. He mentioned in his speech that GST is a structured taxation form with lots of opportunities and potential growth in coming days and it is a more powerful weapon to create resources in our country by way of lowering poverty, providing basic education and healthcare facility to citizens. He also told that simplification and lowering in tax rate, incentivizing the GST will boost up economy.

**CMA Rakesh Bhalla**, Chairman of Indirect Taxation Committee expressed his gratefulness of having an expert like Mr. Pradeep Gooptu. He also appreciated the robust structure of GST which have totally changed the Indirect Taxation System. Seamless credit is one of the main benefit of GST.

**CMA K Ch A V S N Murthy**, Chairman, Regional Council & Chapters Coordination Committee told that Invoice is basic document in GST. He also expressed his heartfelt thanks to chief guest and speakers.

**CMA M.S Mani**, Partner - Deloitte India Tax Practice, in his deliberation as the moderator, mentioned that 1<sup>st</sup> July is an auspicious day in Indirect Taxation System in India. He suggested to rationalize the GST Rate in coming years, inclusion of petroleum products under ambit of GST, simplifying the compliances specially for service sector, seamless credit facility and removal of restrictions of ITC related to action of seller rather than action of buyer for more success in GST after another 5 years.



**CMA Amit Sarker**, Partner - Indirect Tax practice of Deloitte Haskins & Sells LLP, told that Govt. has taken several steps for generation of more revenue like simplifying GST Compliances, introduction and amendment in E-Way bill and E-Invoice scheme. Data Management should be done digitally in such a way so that any previous data along with all kind of break ups can be presented to taxpayers or govt. or auditors or consultants. Even he highlighted the requirement of tax analysis for large companies for proper reporting and reconciliation of ITC

**CMA M Acharjee**, General Manager – Finance [Numaligarh Refinery Limited-Guwahati] told that at the beginning stage of GST, companies took undue advantage of GST Compliances particularly related to ITC. Thereafter through several amendments GST has been modified again

and again and if such kind of practice will be followed on continuous basis then the aim of “ONE NATION ONE TAX ONE MARKET” could be achieved in near future to make India as one unified common market. He emphasized an important topic that for MSMEs a simple technology might be introduced for GST filling and if that could be operated through Mobile then that would be more convenient for development of MSMEs

**CMA Rahul Renavirkar**, Managing Director - Acuris Advisors Pvt. Ltd mainly highlighted the importance of automated E-Invoicing which is helping Indian Economy to be more wider due to Digitization.

The program was concluded with VOTE OF THANKS...!!!





# REPORT OF 6<sup>TH</sup> JULY 2022- SEMINAR \_ GST IN INDIA - POISED TO DELIVER SUSTAINABLE GROWTH

On 6<sup>th</sup> July 2022, Tax Research Department of The Institute of Cost Accountants of India in association with NIRC had organized a seminar on the theme “**GST in India - Poised to deliver Sustainable Growth**” as a part of its “Observance of GST Day – 2022” program at “Mirza Ghalib Chamber”, SCOPE Complex, 7 Lodi Road, New Delhi - 110 003.

**Shri Sushil Kumar Modi**, Hon’ble Member of Parliament, Rajya Sabha graced the seminar as the Chief Guest. CMA Chandra Wadhwa, Practicing Cost Accountant was the Special Guest of the Seminar.

**CMA P. Raju Iyer**, President and CMA Vijender Sharma, Vice President of the Institute graced the occasion.

**CMA Chittaranjan Chattopadhyay**, Chairman Indirect Taxation Committee, CMA Rakesh Bhalla, Chairman Direct Taxation Committee were also present in the event.

**CMA B.M Gupta**, GST & Management Consultant; CMA Navneet Kumar Jain, Practicing Cost Accountant and CMA Sanjali Dias, Senior Vice President, GSTN were the speakers of the day, and the session was moderated by CMA B.B Goyal, Former Addl. Chief Adviser (Cost), Ministry of Finance, GoI.

The program started with the brief introduction about the program given by the Tax Research Department.

The seminar started with the lighting of sacred lamp and chanting of the Institute anthem followed by felicitation of the guests.

The Tax Research Department released the 115<sup>th</sup> Tax Bulletin and a Hand book on GST named “GST – Guide Book for Professionals” in the hands of Shri Sushil Modi in the Seminar.

In the Inaugural session the honourable Chief Guest **Shi Sushil Kumar Modi Ji** praised Mr. Arun Jaitley Former Minister of Finance and Corporate Affairs of the Government of India for pioneering GST in India under the leadership of the Hon’ble Prime Minister Shri Narendra Modi. He mentioned how 16 taxes & Levis including 15 Cesses and many more taxes are subsumed in GST to make the Indirect Tax Structure more user friendly. He briefed about the process of introduction of GST in India including how the GST structures of different countries were studied and finally the structure of GST in India was framed keeping in mind the diversity, population, constitutional structure of the country. He mentioned how tough it was to implement the GST in a country like India. He also pointed out how GST helping to put the tax burden on different income group differently by using different tax rate for different type of product. He pondered the issue of GST on Petroleum Product. He also mentioned that GST Council can recommend only rate changes or amendments in GST Law but that can be effective only by issuing notification and that power has been given to the States. However, every state is binding by GST Constitution hence if a state is deciding to impose different GST rate say 10% that can’t be possible in PAN India basis online GST Portal. He ended his deliberation by thanking the Institute for organizing such a wonderful seminar.

**CMA P. Raju Iyer**, President of the Institute welcomed all and appreciated institute efforts like facilitating stakeholders to acquire knowledge through several courses or workshop. He also highlighted the requirement of performance audit and role of CMA in that era for the benefit of industry growth & development.





**CMA Vijendar Sharma**, Vice President of the Institute highlighted the requirement to introduce mechanism of checking Input Output ratio in GST. He reasoned that from financial books it can be ascertained easily how much input was used and how much output has been produced from that input. However, the amount of value addition cannot be determined, which is one of the main reason of revenue leakage of Govt. Hence CMAs can contribute to find out the transparency in Input Output ratio mechanism.

Special Guest **CMA Chandra Wadha**, Practicing Cost Accountant appreciated GST system since it is a very consistent and well accepted model. He informed that number of registered taxpayers has been increased and also since November 2020 Central & State Govt. has filed 6700 cases for violation of GST Rules, more than 20000 fake GST Number has been found out and Rs. 50000 crore fake ITC cases has been detected. Mr. Wadha also suggested that mechanism for checking of Input Output Ratio might be introduced in GST for prevention of revenue leakage of Govt.

**CMA Chittaranjan Chattopadhyay**, Chairman, Indirect Taxation Committee, in his welcome address, reminisced Dr. Syama Prasad Mukherjee, an Indian politician, barrister and academician, the youngest vice chancellor of Calcutta University as well as founder of Bharatiya Jana Sangh on his birthday. He also illuminated several activities of Tax Research Department like conducting Webinars, Seminars, Workshops, Courses, Helpdesk for stakeholders and Members as well as Industry.

**CMA Rakesh Bhalla**, Chairman, Direct Taxation Committee mentioned that GST has been structured by almost 1500 notifications and as a result revenue is increasing after 5 years of GST and Industry is also happy. He expressed his expectation that Govt. will take appropriate decision regarding Blocked credit, Cess for ease of doing business and trade facilitation. He urged to restore GST Audit to reduce litigation and also inclusion of the Cost Accountants in the definition of "Accountant" under Income Tax Act.

The inaugural session ended with Vote of Thanks given by **CMA Manish Kandpal**, Vice Chairman NIRC.

**CMA B.B Goyal**, Former Addl. Chief Adviser (Cost), Ministry of Finance, GoI moderated the technical session. He emphasized on the role CMAs are playing in the nation building. Mr Goyal raised some issues relating impact of GST on economy and Social Transformation accelerated by Government schemes, how GST framework will make an impact on the manufacturing as well as on service sector, how GST will have an impact on current PLI scheme to promote Aatmanirbhar Bharat.

**CMA Sanjali Dias**, Senior Vice President at GSTN appreciated implementation of GST throughout India and accessibility of the GST portal throughout the world. She mentioned that unorganized and unregulated sectors falling under MSME Category also require to comply with GST. She presented that 98% Payment of GST is being done digitally only 2% payment is being completed through the facility of OTC (Over the Counter) which proves that India is becoming digitally day by day.

Madam also addressed that in every month many taxpayers are taking new registrations as well as registration is being revoked and also registrations cancelled. In the last 2 years, 38 lacs registrations cancelled and among them 5% got revoked and 69 lacs new business got registered. So, Govt. needs to increase tax base for MSME. At the end she expressed her heartfelt wishes for organizing such a wonderful program.

**CMA Navneet Jain**, Practicing Cost Accountant told that in last 5 years it has been proved that GST truly poised to deliver sustainable growth. He appreciated the GST Portal being very informative. He mentioned that all videos along with FAQs, updated Notifications and amendments for every topic are available so that any professional can clear doubts by itself.

**CMA B. M. Gupta**, Practicing Cost Accountant appreciated digitization in GST Portal and explained connection between Costing & GST. He also explained the economic effect of decisions taken in 47th GST Council Meeting as well as implication of GST in different sectors and segments. According to him, E-Way bill has made simpler the GST System, even E-Invoice has reduced time & cost of average bill processing. As a result, MSMEs are being benefited. Mr. Gupta also highlighted the path



breaking advance rulings issued time to time by Advance Ruling Authority. He also suggested that vendor ratings can be introduced in GT Portal like checking system of whether taxpayers are filling their returns or not.

The program ended with Vote of Thanks to the dignitaries and participants.



## DIRECT TAX CALENDER – JULY, 2022

**30 July 2022**

1. Quarterly TCS certificate in respect of tax collected by any person for the quarter ending June 30, 2022
2. Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IA for the month of June, 2022
3. Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194-IB for the month of June, 2022
4. Due date for furnishing of challan-cum-statement in respect of tax deducted under section 194M for the month of June, 2022

**31 July 2022**

1. Quarterly statement of TDS deposited for the quarter ending June 30, 2022
2. Return of income for the assessment year 2022-23 for all assessee other than (a) corporate-assessee or (b) non-corporate assessee (whose books of account are required to be audited) or (c) partner of a firm whose accounts are required to be audited or the spouse of such partner if the provisions of section 5A applies or (d) an assessee who is required to furnish a report under section 92E.
3. Quarterly return of non-deduction of tax at source by a banking company from interest on time deposit in respect of the quarter ending June 30, 2022.
4. Statement by scientific research association, university, college or other association or Indian scientific research company as required by rules 5D, 5E and 5F (if due date of submission of return of income is July 31, 2022)
5. Application in Form 9A for exercising the option available under Explanation to section 11(1) to apply income of previous year in the next year or in future (if the assessee is required to submit return of income on or before July 31, 2022)
6. Statement in Form no. 10 to be furnished to accumulate income for future application under section 10(21) or section 11(1) (if the assessee is required to submit return of income on or before July 31, 2022)
7. Due date for claiming foreign tax credit, upload statement of foreign income offered for tax for the previous year 2021-22 and of foreign tax deducted or paid on such income in Form no. 67. (If the assessee is required to submit return of income on or before July 31, 2022.)
8. Intimation in Form 10BBB by a pension fund in respect of each investment made in India for quarter ending June, 2022
9. Intimation in Form II by Sovereign Wealth Fund in respect of investment made in India for quarter ending June, 2022

# IMPORTANT RETURN DUE DATE – GST JULY, 2022

GSTR 3B		
Particulars	For the period	Due Date
Annual Turnover more than INR 5 Crore in Previous FY	June 2022	20th July 2022
Annual Turnover Upto INR 5 Crore (for Andaman and Nicobar Islands, Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Chhattisgarh, Dadra and Nagar Haveli and Daman and Diu, Goa, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Lakshadweep, Madhya Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Nagaland, Odisha, Puducherry, Sikkim,)	April-June 2022 (Quarterly)	24th July 2022
Turnover Upto INR 5 Crore (for Chandigarh, Delhi, Gujarat, Haryana, Jammu and Kashmir, Ladakh, Punjab, Rajasthan, Tamil Nadu, Uttarakhand.)	April-June 2022 (Quarterly)	22nd July 2022

COMPOSITION DEALER		
Particulars	For the period	Due Date
GST CMP-08	April-June 2022 (Quarterly)	18th July 2022

Particulars	For the period	Due Date
GSTR 5 (Non- Resident Foreign Taxpayer)	June 2022 (Monthly)	20th July 2022
GSTR 5A (NRI OIDAR Service Provider)	June 2022 (Monthly)	20th July 2022

## E-PUBLICATIONS OF TAX RESEARCH DEPARTMENT

Impact of GST on Real Estate	Handbook on GST on Service Sector
Insight into Customs - Procedure & Practice	Handbook on Works Contract
Input Tax Credit & In depth Discussion	Handbook on Impact of GST on MSME Sector
Exemptions under the Income Tax Act, 1961	Insight into Assessment including E-Assessment
Taxation on Co-operative Sector	Impact on GST on Education Sector
Guidance Note on GST Annual Return & Audit	Addendum_Guidance Note on GST Annual Return & Audit
Sabka Vishwas-Legacy Dispute Resolution Scheme 2019	An insight to the Direct Tax- Vivad se Vishwas Scheme 2020
Guidance Note on Anti Profiteering	International Taxation and Transfer Pricing
Advance Rulings in GST	Handbook on E-Way Bill
Handbook on Special Economic Zone and Export Oriented Units	Taxation on Works Contract

For E-Publications, Please visit Taxation Portal -  
<https://icmai.in/TaxationPortal/>





## TAXATION COMMITTEES - PLAN OF ACTION

### Proposed Action Plan:

1. Successfully conduct all Taxation Courses.
2. Publication and Circulation of Tax bulletin (both in electronic and printed formats) for the awareness and knowledge updation of stakeholders, members, traders, Chambers of Commerce, Universities.
3. Publication of Handbooks on Taxation related topics helping stakeholders in their job deliberations.
4. Carry out webinars for the Capacity building of Members - Trainers in the locality to facilitate the traders/ registered dealers.
5. Conducting Seminars and workshops on industry specific issues, in association with the Trade associations/ Traders/ Chamber of commerce in different location on practical issues/aspects associated with GST.
6. Tendering representation to the Government on practical difficulties faced by the stakeholders in Taxation related matters.
7. Updating Government about the steps taken by the Institute in removing the practical difficulties in implementing various Tax Laws including GST.
8. Facilitating general public other than members through GST Help-Desk opened at Head quarter of the Institute and other places of country.
9. Introducing advance level courses for the professionals on GST and Income Tax.
10. Extending Crash Courses on Taxation to Corporates, Universities, Trade Associations etc.

### Disclaimer:

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